IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

MONDAY, THE 2ND APRIL 2007 / 12TH CHAITHRA 1929

WP(C).No. 38412 of 2003(W)

PETITIONER:

A.KURIAN, S/O.AGUSTY, ALLENCHERIL HOUSE,
THELLAKOM P.O. KOTTAYAM DISTRICT.

BY ADV. SRI.T.MADHU

RESPONDENTS:

1. ETTUMANOOR GRAMA PANCHAYATH,
REP. BY ITS SECRETARY, ETTUMANOOR P.O.
KOTTAYAM DISTRICT.

2. KERALA STATE POLLUTION CONTROL BOARD,
REP. BY ITS ENVIRONMENTAL ENGINEER,
DISTRICT OFFICE, KOTTAYAM - 1.

3. THE REVENUE DIVISIONAL OFFICER,
KOTTAYAM.

4. THE DISTRICT MEDICAL OFFICER,
KOTTAYAM.

5. TOM AUGUSTINE,
ALLENCHERIL HOUSE, ALLENCHERIL SERVICE STATION,
THELLAKOM P.O. KOTTAYAM DISTRICT.

BY ADV. SRI.G.GOPAKUMAR,SC, KSPCB
SRI.B.PREMOD
SRI.S.RADHAKRISHNAN
SRI.BABU JOSEPH KURUVATHAZHA,SC,POLU.C.
SRI.M.K.CHANDRAMOHANDAS,SC,P.C.B.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

Ext.P1: True photocopy of the judgment dated 3.1.2002 passed by this Hon'ble Court in O.P.No.8544 of 2001 P.

Ext.P2: A true photocopy of Order No.C2-17133/98 dated 4.5.1999 issued by the 4th respondent.

Ext.P3: True photocopy of the order No.C2-17135/99 dated 1.10.1999 issued by the 4th respondent.

Ext.P4: True photocopy of the proceedings of the 2nd respondent dated 2.10.2002 bearing No.PCB/KTM/2206/95.

Ext.P5: True copy of the proceedings No.A2/3205.02 dated 12.12.2002 issued by the 1st respondent to the petitioner.

Ext.P6: A true photocopy of representation dated 17.11.2003 submitted by the petitioner before the 1st respondent.

Ext.P7: A true photocopy of the representation dated 17.11.2003 submitted by the petitioner before the 2nd respondent.

Ext.P8: True photocopy of the representation dated 17.11.2003 submitted by the petitioner before the 3rd respondent.

RESPONDENT'S EXHIBITS:

Ext.R2(a): A true copy of the letter dated 27.2.2003.

Ext.R2(b): A true copy of the direction issued by the 2nd respondent.

Ext.R5(a): Photocopy of the consent issued by the Kerala State Pollution Control Board.

// True copy //

P.A. to Judge

KURIAN JOSEPH, J.

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W.P.(C)NO.38412 OF 2003

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Dated this the 2nd day of April 2007

JUDGMENT

Writ petition is filed with the following prayer:

> "issue a writ of mandamus or any other appropriate writ, direction or order directing respondents 1 to 4 to take necessary action to close down the bus body building workshop with spray painting unit conducted by the 5th respondent under the name and style of 'Allencheril Automobiles' in his premises without licence and in violation of Exts.P4 & P5 and also of the directions contained in Ext.P1."

On 23.8.2004, this court passed the following order:

> "The 5th respondent shall not run the workshop without getting renewal of the licence from the Pnachayat. Respondents 1 and 3 shall ensure that this direction is implemented."

This writ petition is disposed of in terms of the said order.

KURIAN JOSEPH, JUDGE

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